

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SANTO LANZAFAME in his fiduciary capacity as :  
a Trustee of THE STONE SETTERS LOCAL 84 :  
PENSION FUND, ANNUITY FUND, VACATION :  
FUND, APPRENTICE FUND and INDUSTRY :  
PROMOTION FUND and as a Trustee of the :  
BRICKLAYERS LOCAL NO. 1 WELFARE AND :  
INSURANCE FUND and as President of the :  
BRICKLAYER AND ALLIED CRAFTWORKERS, :  
LOCAL UNION NO .1, NEW YORK, B.A.C.I.U :  
AFL-CIO, :  
Plaintiffs, : Civ. No. 07 Civ. 3351 (RWS)  
: :  
v. :  
: :  
TRIBEC LTD., ADAM OTTAVINO and :  
JOHN or JANE DOE FIDUCIARY, :  
: :  
Defendants. :  
-----X

**DEFENDANTS' DISCLOSURE PURSUANT  
TO F.R.C.P 26(a)(1)**

TRIBEC LTD. and ADAM OTTAVINO (the "Defendants"), by their attorney,  
David J. Aronstam, hereby make initial disclosures as follows:

(A) The names, addresses and telephone numbers of each individual likely to  
have discoverable information that the disclosing party may use to support its claims or  
defenses:

- 1) Adam Ottavino  
President of Tribec Ltd.  
23-03 45<sup>th</sup> Road, Suite 203  
Long Island City, NY 11101  
(718) 433-4595
- 2) Gail Bialofkurski  
Employee of Tribec Ltd.

3) Ralph Miele, CPA  
Accountant for Tribec Ltd.  
1405 Deer Park Avenue  
N. Babylon, NY 11703  
(631) 242-6700

(B) Description and location of documents that Defendants may use to support their claims or defenses:

Payroll and other relevant financial records are located at the offices of Tribec Ltd. and Ralph Miele listed above.

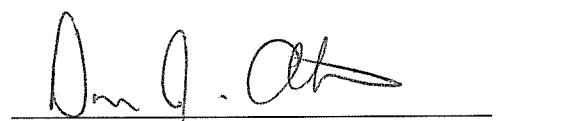
(C) Computation of any category of damages claimed by the disclosing party:

The Defendants do not claim any damages at this stage of the action.

(D) Defendants do not carry any insurance which may be used to satisfy any judgment obtained herein.

The Defendants reserve the right to supplement this statement as discovery proceeds in this action.

Dated: New York, New York  
June 14, 2007



DAVID J. ARONSTAM, ESQ. (DA 5163)  
192 Lexington Avenue, Suite 1202  
New York, New York 10016  
(212) 949-6210  
Attorney for Defendants

To: Delmas Costin, Esq.  
Holm & O'Hara LLP  
Attorneys for Plaintiffs  
3 West 35<sup>th</sup> Street, 9<sup>th</sup> floor  
New York, New York 10001  
(212) 682-2280

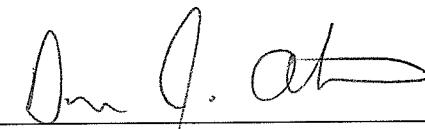
CERTIFICATE OF SERVICE

DAVID J. ARONSTAM, an attorney duly admitted to practice before the courts of New York State, affirms the following under the penalties of perjury: I am not a party to the action, am over 18 years of age and reside at New York, New York. On June 14, 2007, I served the DEFENDANTS' RULE 26a1 DISCLOSURE STATEMENT on:

Delmas Costin, Esq.  
Holm & O'Hara LLP  
Attorneys for Plaintiffs  
3 West 35<sup>th</sup> Street, 9<sup>th</sup> floor  
New York, New York 10001

by depositing a true copy thereof by first class mail enclosed in a post-paid wrapper in an official depository under the exclusive care and custody of the United States Postal Service within New York State.

Dated: New York, New York  
June 14, 2007

  
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DAVID J. ARONSTAM